

La Jolla Community Planning Association

Trustee Meeting Minutes Final

3 December 2020 6pm

Regular Monthly Meetings: 1st Thursday, La Jolla Recreation Center, 615 Prospect St

PO Box 889, La Jolla CA 92038
<https://lajollacpa.org>
info@lajollacpa.org

President: Diane Kane
1st Vice President: Greg Jackson
2nd Vice President: Helen Boyden
Secretary: Suzanne Weissman
Treasurer: Mike Costello

Online meeting. Registration required.

Instructions (copy-paste into browser if clicking fails):

<https://lajollacpa.org/ljcpa-online-meeting-instructions/>

Materials & Comments page for projects, issues, & reports:

<https://lajollacpa.org/ljcpa-12-3-2020-materials-comments/>

Viewing, listening, and speaking at the meeting require registration. To have attendance counted toward membership or voting, registration must be in the member's name. Meetings are recorded.

Mobile or noisy **devices should be off or silent**, and **microphones muted** except to speak. **Refer to projects or issues, not to applicants or opponents**. For Action Items, chair calls on public, then Trustees, closes discussion upon consensus, and calls for motions. Trustees vote by roll call or show of hands.

LJCPA welcomes donations in cash at physical meetings or by check to "LJCPA". Please email the Treasurer (emsmike@san.rr.com) for instructions and address.

The **public is encouraged to participate** in Committee/Board meetings before LJCPA discussion:

PDO – Planned District Ordinance Committee, Chair Deborah Marengo, 2nd Monday, 4:00 pm

DPR – Development Permit Review Committee, Chair Brian Will, 2nd & 3rd Tuesday, 4:00 pm

PRC – La Jolla Shores Permit Review Committee, Chair Andy Fotsch, 3rd Monday, 4:00 pm

T&T – Traffic & Transportation Board, Chair David Abrams, 3rd Wednesday, 4:00 pm

Quorum Present: Ahern, Boyden, Brady, Costello, Davidson, Fitzgerald, Ish, Jackson, Mangano, Manno, Neil, Shannon, Steck, Weissman

Helen Boyden presiding

1. Call to Order (6:00pm)

1.1. Approve Agenda (action item)

Motion: Approve Agenda as presented: (Steck, Fitzgerald) Vote: Unanimous, 1 abstention, Chair. Motion carries.

1.2. Approve Minutes (action item)

Motion: Approve minutes as presented: (Jackson/Steck) Vote: Unanimous, 1 abstention, Chair. Motion carries.

2. Non-Agenda Public Comment

Opportunity for public to speak on matters not on the agenda, 2 minutes or less. No votes or action unless requests have been submitted to the President in writing at least 72 hours in advance.

Barbara Bry: This is the last meeting I will attend as your District 1 council member. For the last 4 years I have been honored to serve. I live in LJ and plan to maintain membership in the CPA. Thank you all for your service. We will make sure there is an orderly transition with the new council member, Joe LaCava, who will take office next Thursday. I look forward to seeing you around town as I do errands.

Several comments and applause to thank Barbara for her service.

3. Consent Agenda (consolidated action item)

The Consent Agenda enables LJCPA to ratify approval and denial recommendations from joint Committees or Boards in a single vote. Those recommendations thereby become LJCPA's. The public may comment on consent items, but there is no presentation or debate. Anyone may request a consent item be pulled for full discussion by LJCPA at a subsequent meeting.

3.1. 6715 Neptune (668003, Marengo)

(Process 3) Amendment to CDP No. 1353913 and SDP to remodel of an existing one-story, 2,638-sf single family residence and construct a 1,846-sf second-story addition with roof deck for a total of 3,867-sf at 6715 Neptune Place. The 0.133 acre site is in the RM-4-10 and RM-1-1 Zones, the Coastal (Appealable) OZ, Coastal Ht. Limit, 1st Public Roadway, Parking Impact, Residential Tandem Parking, Transportation Priority Area within the La Jolla Community Plan Area, and CD 1

DPR: Findings CAN be made, passes 6-0-1

3.2. 305 Bonair (653750, Krencik)

(Process 2) Coastal Development Permit and Neighborhood Development Permit to construct a new 535 square-foot detached dwelling unit on a lot with an existing 2,100 square-foot, two-story apartment building at 305 Bonair St. The 0.10-acre site is in the RM-3-7 Zone and the Coastal (Non-Appealable) Overlay Zone within the La Jolla Community Plan area, and Council District 1. Permits required per to Code Case CE-0500245.

DPR: Findings CAN be made, passes 6-1-1

3.3. 1542 Copa de Oro (676181, Morton)

(Process 2) Coastal Development Permit for partial demolition, remodel and 784-square-foot ground floor addition to an existing 2,871-square-foot, one-story, single family residence located at 1542 Copa De Oro Drive. The 0.24-acre site is in the RS-1-4 Zone, Coastal (Non-App-1), Coastal Height Limit, and Parking Impact Overlay Zones within the La Jolla Community Plan area. Council District 1.

DPR: Findings CAN be made, passes 7-0-1

3.4. 6375 Avenida Cresta/6360 Via Maria (667263, Duke/Crisafi)

(Process 2) Easement Vacation and Coastal Development to demolish 2 existing single-family residences on separate lots and construction of a new 7,160 square-foot single-family residence with an attached 580 SF garage and a new 677 SF companion unit with an attached 551 SF garage. The 0.46-acre lots are located at 6375 Avenida Cresta and 6360 Via Maria in the RS-1-7 zone within the Coastal Overlay (non-appealable) zone within the La Jolla Community Plan area. Council District 1. *(LJCPA already approved this project; reviewed by DPR at City's request for approval of minor easement vacation change to accommodate a utility pole guy wire.)*

DPR (easement change): Findings CAN be made, passes 6-0-1

Shannon: Many are frustrated with onerous delays at the City; LJCPA is always ahead of the City with approvals.

Jackson: Cresta Maria is on the agenda again because of a small easement vacation change requested for approval by the City with which we agreed.

None pulled.

Motion: Approve Consent Agenda items 3.1 – 3.4. (Jackson/Ahern) **Vote:** Unanimous. 1 abstention, chair. Motion carries.

4. Project Reviews (action item)

These may be *de novo* considerations. Actions by committees are listed for information only. Written comments can be submitted via the Materials & Comments page, link above. In general, applicants for each project have 10-15 minutes to present, an individual representing organized opponents (if there are such) has 10 minutes to respond, and members of the public have 15 minutes for 2-minute comments not already covered in presentations. Trustees then discuss the project for 20 minutes, at which point the President may call for motions and votes.

~~4.1. (deferred to January) 8216 Caminito Maritimo (629762, Sammon)~~

~~(Process 3) Site Development Permit and Neighborhood Development Permit for the addition of 4,515 square feet to an existing single residential condominium unit of 4,771 square feet for a total of 9,286 square feet located at 8216 Caminito Maritimo. The 0.18 acre site of the LJSPD-SF base zone of the La Jolla community plan area with prior development approval SDP#630146 & NDP #644794. Council District 1.~~

~~**PRC: Findings CANNOT be made because of the project's bulk & scale, structure height, large lot coverage, and small garage setback, passes 7-0-1**~~

5. Non-Project Discussions & Reviews (action items as noted)

5.1. Request from La Jolla Shores Association (action item, Emerson)

Endorse request for extension of outdoor dining.

Neil: LJ Shores Assn. is asking us along with other groups in LJ to endorse their 'on street dining on Avenida de la Playa' that requires a permit from the City. Evidence of community support will facilitate granting of that permit. They are seeking to continue the permit into next year as long as Covid restrictions remain.

Motion: Approve and send draft letter from CPA written by Diane Kane supporting the Shores outdoor dining on Ave. de la Playa. (Neil/Shannon)

Discussion:

Shannon: Support from CPA is important to overcome roadblocks to this project.

Chris McNamara. I have enjoyed outdoor dining, the closed street, and applaud the restaurant owners and Shores Assn. for creative way to deal with difficult circumstances at this time.

Ahern: Support, creates energy

Vote: unanimous, 1 abstention, chair. Motion carries.

5.2. 8423 El Paseo Grande (action item, Emerson/Fotsch)

Comment on draft MND.

Boyden presented the letter re: 8423 El Paseo Grande project comments on MND from Diane Kane on behalf of CPA. The letter included comments by Phil Merten.

Neil: The letter was designed to comment on the MND under CEQA that the City is lead agency for. Diane Kane, as president of the CPA, sent the letter to meet the deadline that closed before we were able to meet again. Our vote here is to ratify the letter. No changes to the letter can be made now.

Letter from Matt Peterson, representing Broe Family, presented: (see Materials & comments on LJCPA website)

- CPA President sent letter to the City without LJCPA review, discussion or vote which presents implications with the Brown Act, due process and the Bylaws
- The action item on your agenda tonight is moot.
- LJCPA involvement in CEQA matters is beyond their scope and authority as evidenced by the Bylaws and Council Policy 600-24.
- LJCPA as a whole has already rendered its opinion that findings cannot be made for this project.

Boyden: The items in this letter need to be considered. We will not discuss the project.

Phil Merten: I represent M/M Gneezy who live directly behind the project. That commenting on CEQA documents is beyond the purview of the LJCPA is incorrect. All CPG's operate under Council Policy 600-24 and its Administrative Guidelines that outline the role of CPG's in review of proposed projects and recommends timing for input on discretionary projects and environmental documents. Information Bulletin 620, Guidelines for the Role of CPG's in the City of SD Development Review Process, also lays out the process for CPG's to review environmental documents.

Uri Gneezy: Mr. Peterson on behalf of his client is trying to silence the committee.

McNamara: I sent a letter stating the project has numerous issues and should be denied.
Costello, Manno, Fitzgerald, Weissman Courtney commented that LJCPA is correct to comment on environmental documents.

Fitzgerald: Is action item to comment on contents of the letter? If so, I do not understand the comment on parking requirements.

Neil: The additional parking space for the ADU is needed because this is not in a transit priority area.

Boyden: We are obligated to appeal this project if it is approved by the Hearing Officer.

Motion: Ratify Diane's letter. (Costello/Weiss) Vote: 15-0-1, Chair abstains. Motion carries.

5.3. (deferred to January) Complete Communities (Kane)

~~Update on City Council actions~~

5.4. Coastal Rail Trail (action item, Gonzalez)

City Report on project being planned for Gilman Drive from I-5 to UCSD campus, request for LJCPA recommendation.

Alejandra Gonzalez presentation: (see Materials & Comments on LJCPA website)

- Regional project to connect Oceanside to Downtown SD providing a facility suitable for a variety of users on a multi-modal and bicycle facility.
- Provide more expanded transportation choices and give ability for more people to ride bicycles instead of cars.
- Focus on Gilman Dr. between I-5 and LJ Village Dr. connecting to UCSD and Santa Fe bikeway.
- The project will provide a one-way cycle track Class IV facility on both sides of Gillman Dr., a separated cycle track with raised median or stripped buffered separation between cycle track or bicycle facility and travel lanes. It also provides a continued sidewalk along west side of Gillman Dr., street parking, street lining improvements, implementing traffic signal modifications and a new signal on LJ Village Dr.
- Several drawings of existing conditions and those proposed were shown. Also showing proposed striping and protection for bike lane at intersection of I-5 south to provide more safety.
- Detail of traffic signal impvt for protected face with no turn on red for bicyclists. Samples of raised barrier were shown.
- We are working on obtaining SDP and Mitigated Negative Declaration to be ready for public review later in the month. Construction to begin fall 2021.

Karl Lintveldt, environmental planner: We are preparing a MND; impacts to bio-resources will be fully mitigated. Vegetation classified as habitat and wetlands are impacted both permanent and temporary. Permanent impacts are from direct loss of habitat mitigated by replacement of vegetation with new impervious road surfaces on widened road. Temporary impacts are from grading downslope of widened road surface to east towards the drainage area in canyon that flows to Rose Creek; all will be restored subject to a revegetation plan. Permanent impacts to habitat will be mitigated through monetary

compensation, 1:1, to City's Habitat Acquisition Fund. Wetland impacts will be mitigated through credits to City's Stadium Wetland Mitigation site at 2:1 or 3:1 ratios.

Neil: Where is money to Habitat Acquisition fund going and how much is it?

Rebecca: Acquisition fund money goes to acquiring more land for incorporation into multi-habitat planning area. I estimate \$30,000

Boyd: Will SDP come back to this group for approval? **Reply:** As Process 2 it will be approved by Hearing Officer; we need a formal recommendation from this group and the University City planning Group. The UC group asked for some design revisions; we are here hoping to get the recommendation of approval to pass to DSD.

Boyd: Process 2 is a staff decision but must first come to planning groups.

Davidson: What is plan for Gnatcatcher? **Reply:** Rules are set by Fish and Wildlife Service for habitat with further explanation of procedures.

Serge Issakov: I'm wondering about the safety of this project. What is basis for safety of these improvements? What type of crashes have occurred here that will be avoided and how will this facility reduce them? **Reply:** Separation will provide safety, striping and additional warnings to drivers at intersections and driveways, signage and markings with improved facility.

Larry Thornberg: Barrier will reduce overtaking and sideswiping accidents. Class IV reduces conflict at right turns and driveways. Intend is to allow more people to ride, feel safer, reduce conflict zones, maximize visibility and provide warning.

James Baross: Will there be shared lane markings? **Reply:** We are considering that.

Issakov: My objection to the current plan is not based on safety but the perception of safety; the idea of what is safer is misconstrued. People will think they are safer when they are really less safe. There is no evidence that the lack of a barrier causes crashes; adding an expensive barrier will not make a difference in safety. Right hook and drive out will cause greater conflict. Best is extra wide regular bike lane with buffer like on Torrey Pines grade.

Baross: I sympathize with concern about additional hazards of Class IV bikeways. When this project goes forward with Class IV bikeways it will encourage many more people to ride. For many who want to avoid hazards of Class IV and to avoid harassment or problems when they do not use new bikeway, I recommend adding sharrows and 'bikes may use full lane' signs put in next to this facility so bicyclists can choose which path to use.

Burgess: I am on the board of Bike SD and the City's Mobility Board. Protected bikeways are what we are looking for. The Climate Action Plan goal is for 6% ridership now, 18% in next 10 years. We need to provide facilities where people feel safe to allow kids to ride to school. Vision 0 is to reduce fatalities of all, even drivers. That barrier will protect from being hit by a car going 50 mph where the risk of dying is 90%. I ask staff to be aggressive with conflict zones, look at good paint treatments. I recommend that width of travel lanes be reduced to minimum standards to reduce speed along this corridor.

Goese, Lehnerz: agree with Issakov: that barrier causes more hazards with right turns. Lehnerz adding that overtaking crashes usually occur at night or by drunk drivers and barriers are usually better in urban areas.

Jamason, Magnezi, Marsh: Concur with Burgess on safety of physical barrier and that studies do show that. We need to encourage new riders.

Shannon: I support barrier; it prevents cars from driving in bike lane.

Brady: What were UCPG questions? **Reply:** They wanted more information on interface at intersections, how parking was protected. Most concerns have been cleared; we will present to them next month.

Brady: Have you given more consideration of comments regarding the southbound bike lanes on Gilman Dr.? Because of questions from cyclists, I don't feel you have done enough to satisfy safety concerns. Overall, I think it is a good thing.

Neil: Gilman Dr. is heavily used by experienced bikers; we should not take away from them by creating an area that would cause accidents. Sharrows are a good idea. Narrowing traffic lanes and going less into fragile biological areas is a good idea. What is position of City on extra wide bike lane and reducing width of traffic lanes to accommodate shared bike lanes? **Reply:** We have reduced width of traffic lanes where possible; some are under the jurisdiction of Caltrans and have to remain. We are going to 11 ft. inside and, 12 – 13 ft. on outside lane because it is next to curb and gutter.

Jackson: Procedurally we cannot take a vote tonight that constitutes approval of the SDP; ordinarily we do not vote on projects until our appropriate subcommittees have reviewed them, PRC, DPR, or T & T. T & T did not vote last week. The dilemma here: we want incentives to encourage bike usage, many of whom need more protection than skilled riders. That kind of protection creates dangers for people who want to ride fast. We are stuck within that box because we must have 4 travel lanes on Gilman Dr. During major construction project a year ago, there were only 2 traffic lanes and traffic moved well except for a few minutes a day. Could we sacrifice some traffic capacity by reducing number of lanes? Complex trade-offs here that have not been fully considered. There is a dearth of agreed upon data; what do we actually know about statistical risks? We are not ready to make a decision yet; I recommend that the proper committees look at it.

Boyden: Width of bike lanes not adequate when 2 or more riders ride side by side. I agree with Greg about procedure.

Weiss: Many important issues not considered, such as sidewalk, scooters, more information needed.

Ahern: Many reasons for concern, possible liability for City.

Fitzgerald: Is bike lane usage limited to bikes? How does handicapped person get from vehicle parked next to bike lane to sidewalk? How can driver see bicycles on other side of parked cars? **Reply:** Intended for bike use only. No raised barrier where cars are parked. Parking not allowed before or after driveways and buffered striping maintained.

Manno: We do not have data necessary for reasonable decision.

Weissman: Can scooters use bikeway? **Reply:** Yes

More comments that we lack sufficient data for decision.

Motion: (a) ask the city to explore a full range of options for optimizing the automotive, pedestrian and bicycle utilization of the Gillman Dr. corridor in question, and (b) once the City has done so, follow standard procedure by discussing and requesting endorsement of its plans at PRC and T & T. Based on that, return to LJCPA for final review and action.

(Jackson/Fitzgerald)

Discussion items: Boyden: Can't support lane narrowing. **Courtney:** T & T issue; they should make call.

Vote: 13-2-1: Motion carries.

In Favor: Ahern, Brady, Costello, Fitzgerald, Ish, Jackson, Mangano, Manno, Neil, Shannon, Steck, Weiss, Weissman

Opposed: Courtney, Davidson

Abstain: Boyden, chair

5.5. Serial Permitting (Ish)

Report on Code revisions.

Ish: Serial permitting submitted for 2020 Code Revision. Gary Geiler, director of DSD, said serial permitting appeared to be a limited issue in LJ and did not apply citywide therefore would be dealt with as a policy issue within DSD. After sending some ideas to Mr. Geiler, I heard the serial permitting would be added to list for 2021 code revisions and would be sent to Rene Mezzo, project mgr. for Code Revisions. I communicated to Rene Mezzo that these were discussion ideas and had not been officially endorsed by the CPA. This was sent with intention that this would be a staff dialog and would come back as proposals and more clearly defined ideas.

Several other items were intended to be in the 2020 revisions but were not dealt with: 50% rule and CDP exemption; serial permitting; project sequencing; beachfront lot FAR; project noticing; Prop D height and residential height limit. We can now resubmit these items through mid-March. We need knowledgeable people to write concise proposals on issues, submit on city's website form and follow up with City staff. Please send me any issues (dish@san.rr.com) and I will make a list. This was a new process last year and technology should be improved so we should be on top of this. This is our opportunity to modify the rules.

6. Officer Reports

6.1. Treasurer (see Materials & Comments page for report)

Costello: No activity this month. Balance \$793.21. In Jan. I will submit a request to City for \$500 grant for reimbursement of our expenses. We have only \$220 of reimbursable expenses. Since City is short of money this year and we are doing pretty well here, is there support for me to not send request for \$220 reimbursement?

Boyden: We don't know what expenses we will have.

Jackson: Most of our GoDaddy expenses have been paid for 3 years in advance. I fear that things will not return the same as they have been when the pandemic ends. Sometime mid-year we may incur substantial expenses for video camera equipment, better microphones, etc. Let's estimate what we might need if we were to do a pitch to the City.

Boyden: We may lose the opportunity if we wait until we have a need and fiscal year ends.

Brady: I would apply for \$500 to build a reserve. **Reply:** We can only apply for amount of reimbursable expenses.

Fitzgerald: This is reimbursement for past expenses during the fiscal year; we cannot budget ahead. In past our big expense has been for overtime at the Rec. Center. We should

wait to apply as late as we can to determine our expenses. Contact City to find out deadline for requesting reimbursement.

Costello: I will do that.

6.2. Secretary

Weissman: Your attendance tonight will count toward your membership requirement. Details are on our website.

Steck left

6.3. President (action items as noted)

6.3.1. Ratify members for the 2021 Election Committee (action item)

Members: Donna Aprea, *Larry Davidson, David Dunbar, Janie Emerson, *Nancy Manno, *Kathleen Neil (*=Trustee)

Motion: Ratify members of Election Committee as listed in document provided by President: (Weiss/Jackson) **Vote:** Unanimous, 1 abstention, chair. Motion carries.

Neil: Marlon Pangilinan has reported that a draft election guide has been completed by City and is currently in review. Guidance will provide CPG's with options to conduct election process during Covid whereby intent of Council Policy will be upheld without a lengthy bylaw amendment process. City is considering allowing multiple polling times, days and locations, mail in ballots concurrently with in-person ballots. We should hear soon. We should allow committee members to gather in Covid safe manner and begin thinking about process and choose chairperson to be prepared for City issued guidance.

6.3.2. Endorse amendments to DPR Bylaws (action item)

DPR bylaws currently are inconsistent with the newer LJCPA bylaws in a few important respects, mostly related to quorums and voting. The proposed amendments correct this. To take effect, amendments must be approved by DPR (approved 17 Nov, 6-1-1), by the LJCPA Trustees, and by the Town Council Directors. (see Materials & Comments)

Proposed DPR Bylaws presented with changes in red.

Boyden: Reviewed the changes.

Motion: Adopt these changes with date of original adoption added on bottom.
(Jackson/Fitzgerald)

Costello: I oppose the concept that we have bylaws similar to any other organization, even the parent organization. DPR should not have to be in line with any other bylaws; they have served us well.

Neil: I agree

Vote: 11-3-1 Motion carries.

In Favor: Ahern, Courtney, Davidson, Fitzgerald, Ish, Jackson, Mangano, Manno, Shannon, Weiss, Weissman

Opposed: Brady, Costello, Neil

Abstain: Boyden, chair

7. Representatives of Elected Officials, City Agencies, & Other Entities

7.1. Council 1: Barbara Bry (Steve Hadley, 619-236-6611, srhadley@sandiego.gov)

Hadley: We are leaving offices tomorrow and are working on our own. I will have a spot with Mr. LaCava's office, but don't know what I will do. Neil & I will be on LJ Parkway & Hidden Valley Rd. picking up trash. We are archiving our hard drives.

7.2. 78th Assembly: Todd Gloria (Mathew Gordon 619-645-3090, mathew.gordon@asm.ca.gov) Not present

7.3. 39th Senate: Toni Atkins (Miller Saltzman, 619-645-3133, Miller.Saltzman@sen.ca.gov)
Not present

7.4. City of San Diego (Marlon Pangilinan, mpangilinan@sandiego.gov) Not present

7.5. UCSD (Planner: Anu Delouri, adelouri@ucsd.edu) Not present

8. Non-Agenda Trustee Comment

Opportunity for Trustees to comment on matters not on the agenda, 2 minutes or less

Costello: Does City have Renter Assistance program? **Hadley:** No

I commend you for your excellent service to this group. Trustees have always worked with Environmental documents.

Courtney: Regarding LJSPDO task force, the recommendation for FAR came up at end of the process. FAR should be a separate issue as it is a complex issue and will complicate the review process.

9. Reports from Standing, Ad Hoc, and Other Committees

None.

10. Adjourn at 8:42 to next LJCPA meetings

Regular meeting 7 January 2021, 6pm